

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

GS HOLISTIC, LLC,

Plaintiff,

:

Case No. 1:23-cv-641

- vs -

District Judge Walter H. Rice

Magistrate Judge Michael R. Merz

STARS WIRELESS

AND SMOKE, LLC, et al.,

Defendants.

:

DECISION AND ORDER; ORDER TO SHOW CAUSE

This case is before the Court on Motion of Defendant Mahmoud Alili, proceeding *pro se*, for leave to file an amended answer and counterclaim (ECF No. 11). The Motion is denied without prejudice to its renewal when accompanied by a proposed amended answer and counterclaim. It is the customary practice in this Court to accompany motions to amend with a copy of the proposed amended pleading so that the Court can properly adjudicate the motion under Fed.R.Civ.P. 15. The Court notes that Defendant Alili's original answer is a general denial and calls to his attention the provisions of Fed.R.Civ.P. 8 and Fed.R.Civ.P. 11 which must be adhered to in preparing any proposed amended answer.

The case is also before the Court on Defendant Alili's Motion to Obtain Electronic Case Filing Rights (ECF No. 10). That Motion is granted with the caution to Defendant to comply carefully with the Court's ECF Filing Manual.

The Court notes that Defendant Alili's address on the docket is given as 6470 Glenway Avenue, Cincinnati, Ohio 45211. A different address is used on the Motion to Obtain ECF Filing Rights. However on the Motion to Amend, Mr. Alili has returned to the Glenway address. This address will be used by the Clerk until and unless a formal notice of a change of address is filed.

ORDER TO SHOW CAUSE

Upon examination of the docket, the Court finds that there is as yet no proof of service filed as to the corporate Defendant. This case was filed October 4, 2023 (ECF No. 1). On January 2, 2024, Plaintiff moved for an extension of time within which to perfect service and the Court granted an extension to March 1, 2024 (ECF Nos. 6, 7). That extension has now expired and no proof of service on the corporate Defendant has been filed. Accordingly, Plaintiff is ORDERED to show cause not later than April 10, 2024, why the Complaint herein should not be dismissed without prejudice pursuant to Fed.R.Civ.P. 4(m) for failure to prosecute.

March 27, 2024.

s/ Michael R. Merz
United States Magistrate Judge